



ADVISORY BOARD MINUTES **REVISED**

PLANNING AND INSPECTIONS DEPARTMENT

Wednesday, August 5th, 2015, 3:00 P.M.
 City 3 Building, 801 Texas Avenue
 Basement, Thorman Conference Room

Members Present: 6

Chairwoman Katrina Martich, Richard Teschner, Lois Balin, Maria Teran, Jim Tolbert, Patricia White

Members Absent: 3

Vice-Chairman Joseph Nester, Edward Beck, Ann Lilly

Vacancies: 0

Planning & Inspections Department – Planning Division Staff:

Larry Nichols, Director; David Coronado, Program Manager; Alex Hoffman, Lead Planner; Kimberly Forsyth, Lead Planner, Subdivision Section; Anne Antonini, Planner; Ryan Kirby, Planner

Other City Staff Present:

Karla Nieman, Assistant City Attorney, City Attorney's Office; Cynthia Osborn, Assistant City Attorney, City Attorney's Office; Rudy Valdez, Engineering & Construction Management; Jim Fisk, Transportation Planning Administrator; Engineering & Construction Management

1. Meeting Called to Order

Chairwoman Martich called the meeting to order at 3:10 p.m.

2. Call to the Public (items not listed on the agenda)

Chairwoman Martich noted the Open Space Advisory Board would be following the rules of City Council regarding public comment:

- a. Each person would be allowed one (1) minute to speak.
- b. Sign-in sheet was provided. Per the sign-in sheet, should a group of individuals wish one individual speak on their behalf, please note that individual's name under "**ORGANIZATION NAME**". A group speaker would be allowed three (3) minutes to speak.

The following members of the public spoke in opposition, or otherwise noted, to a housing development located in the Mountain Park area in Northeast El Paso:

1. Rod Linkous
2. Judy Ackerman, Franklin Mountains Wilderness Coalition

3. John Cook, former Mayor of El Paso, suggested members of the public opposed to the housing development meet with their designated City Council Representative and request an item be posted on the City Council agenda to discuss said housing development. Later Mr. Cook noted Mr. Carl L. Robinson, City Council Representative, District 4 was currently working with Mayor Lesser in placing an item on the City Council agenda.
4. Joe Betasso
5. Sylvia Richards
6. Donna Beasley
7. Betts Heide, Mountainside Neighborhood Association
8. Sam Fort
9. Sheldon Myers
10. Margaret Willis
11. Carl L. Robinson, City Council Representative, District 4, explained public meetings must be posted 72 hours in advance of the meeting. The City Council agendas can be found at <http://www.elpasotexas.gov/meetings>
12. Eric Heller
13. Lupe Favela
14. Chris Cummings
15. Beverly Clevenger, Mountain Park Homes Association
16. Eric Heller
17. Ronald Gelinas
18. Joe Moody, State Representative, District 78, requested Board Members report back to their appointed City Council Representative and inform them of this meeting's events.
19. David Thackston
20. Ray Bannon, Franklin Neighborhood Association
21. Cecilia Sanders
22. Charlie Wakeem, former Open Space Advisory Board member, Coronado Neighborhood Association member

Chairwoman Martich and Board Member Jim Tolbert thanked the public for coming to the meeting and expressing their concerns.

The following staff members also commented:

1. Mr. Nichols
2. Ms. Nieman
3. Ms. Forsyth

3. Discussion and Action:

- a. Change to the Agenda.

Request to move item 5. as the first item on the agenda.

5. **Discussion and Information:** A presentation from Frontera Land Alliance regarding a collaborative funding initiative.
Contact: Katrina Martich, Chairwoman, kmartich@stellee.com

MOTION:

Motion made by Chairwoman Martich, seconded by Mr. Tolbert AND UNANIMOUSLY CARRIED TO MOVE ITEM 5 AS THE FIRST ITEM ON THE AGENDA.

b. Approval of Minutes: July 8th, 2015

Chairwoman Martich asked if Board Members had any additions/changes/revisions.

1. Mr. Charlie Wakeem, former Board Member, requested additional names be included under *"Others Present"*:
2. Ms. Marilyn Guida sent an email to Mr. Hoffman explaining she was not the member of the public requesting Executive Session items be placed at the end of the agenda.
3. Under *"Approval of the Minutes for June 10th"*, Mr. Tolbert found it interesting that he seconded the motion to approve the minutes and then abstained from the vote.

MOTION:

Motion made by Dr. Teschner, seconded by Ms. White AND UNANIMOUSLY CARRIED TO ACCEPT THE JULY 8th, 2015 MINUTES, AS AMENDED.

4. Update and Discussion: Quarterly Update on recent OSAB recommendations.

Contact: Alex Hoffman, hoffmanap@elpasotexas.gov

Mr. Hoffman gave the quarterly update on recent OSAB recommendations and responded to comments and questions from Chairwoman Martich.

MOTION:

Motion made by Chairwoman Martich TO TABLE THIS ITEM TO THE NEXT MEETING.

Chairwoman Martich and Board Member Teran commented.

MOTION:

Motion made by Chairwoman Martich, seconded by Mr. Tolbert AND UNANIMOUSLY CARRIED TO TABLE THIS ITEM TO THE NEXT MEETING.

Mr. Nichols commented.

Item was moved to the first item on the agenda.

5. Discussion and Information: A presentation from the Frontera Land Alliance regarding a collaborative funding initiative. Contact: Katrina Martich, Chairwoman, kmartich@stellee.com

Ms. Janaé Reneaud Field, representing the Frontera Land Alliance, spoke about possible collaborative funding initiative between the Frontera Land Alliance, the City of El Paso and other available entities/foundations.

Chairwoman Martich and Board Member Teran commented.

6. **Update and Discussion:** Response to questions posed by Open Space Advisory Board members following EPWU's Quarterly Report to OSAB in July, regarding details of \$2,000,000 EPWU Bond earmarked for purchase of Open Space.

Contact: Cynthia Osborn, EPWU Real Estate Manager and Counsel, 594-5636

Ms. Osborn reported on the 2012, \$2,000,000 El Paso Water Utility Bond to purchase Open Space and responded to comments and questions from Board Members.

Chairwoman Martich commented.

Mr. Ray Bannon, Franklin Neighborhood Association, commented.

Ms. Nieman provided legal advice.

7. **Update and Discussion:** Response to questions posed by Open Space Advisory Board members following EPWU's Quarterly Report to OSAB in July, regarding process for development of new list for purchase of Open Space, including time frame for completion of list.

Contact: Cynthia Osborn, EPWU Real Estate Manager and Counsel, 594-5636

Ms. Osborn explained the process for development of a new list for purchase of Open Space and the duties of the Open Space Advisory Board relative to the development of the list. Ms. Osborn responded to comments and questions from Board Members.

Chairwoman Martich and Board Member Teran commented.

Mr. Ray Bannon, Franklin Neighborhood Association, commented.

8. **Discussion and Information:** The feasibility of conducting a study regarding the protection of open space adjacent to City owned land.

Contact: Katrina Martich, Chairwoman, kmartich@stellee.com

Chairwoman Martich and Board Members Tolbert, Balin, Teschner, Teran and White commented.

Board Member Tolbert suggested creating policy, that the city would follow, which states how we treat City owned land adjacent to open space.

Board Member Teschner seconded Mr Tolbert's suggestion regarding developing policy.

Board Member Balin felt the larger the open space the better and the more connected the better. If properties are to be researched individually, she suggested all areas surrounding the mountain on the West and Northeast side be looked into, as a priority.

Chairwoman Martich reiterated the OSAB does not have authority to set policy for the city; however, the OSAB does have authority to make recommendations to City Council that City Council direct Staff to develop a policy.

Board Member Teran commented on creating a policy grandfathering existing City owned properties located adjacent to open space. She also suggested having City Department representatives present their initiatives prior to moving forward on the project to allow OSAB input.

The following staff members commented:

1. Mr. Hoffman commented on the list of all City owned land adjacent to open space. He suggested Board Members request specific areas of interest rather than the scope and scale of today's presentation.
2. Mr. Nichols commented on the OSAB working with City Departments regarding City owned lands adjacent to open space.
3. Ms. Nieman explained the process by which the OSAB recommendations would be presented to the City Council.
4. Mr. Kirby requested land studies include high value and low value property designations.

The following members of the public commented:

1. Ms. Marilyn Guida
2. Dr. Marshall Carter-Tripp
3. Mr. Larry France

At this time, Chairwoman Martich requested members of the public and members of staff, not directly involved with Quality-of-Life bonding, to exit the meeting.

CLOSED SESSION

The Open Space Advisory Board of the City of El Paso may retire into CLOSED SESSION pursuant to Section 3.5^a of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the items on this agenda, consistent with the terms of the Open Meetings Act. The Open Space Advisory Board will return to open session to take any final action.

SECTION 551.071 CONSULTATION WITH ATTORNEY
SECTION 551.072 DELIBERATION REGARDING REAL PROPERTY
SECTION 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
SECTION 551.074 PERSONNEL MATTERS
SECTION 551.076 DELIBERATION REGARDING SECURITY DEVICES
SECTION 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

CS1. Discussion and Action: The Open Space Advisory Board will prioritize a list of potential properties for acquisition using Quality-of-Life bond funding. Discussion of this item will be closed to the public pursuant to the El Paso City Code, Section 2.22.050(A)(5), and Texas Government Code Section 551.072 Deliberation Regarding Real Property.

Contact: Paula Powell, powellpj@elpasotexas.gov

Following the discussion, members of the public rejoined the meeting.

MOTION:

Motion made by Ms. White, seconded by Ms. Teran AND UNANIMOUSLY CARRIED THAT CITY STAFF FOLLOWING THE DIRECTION, AS DISCUSSED IN EXECUTIVE SESSION, REGARDING THESE PROPERTIES.

Ms. Nieman suggested amending the motion language as follows:

The board makes a motion to carry the recommendation of the Board during Executive Session forward to whatever Boards need to be presented and ultimately to City Council.

MOTION AMENDED:

Motion made by Ms. White, seconded by Dr. Teschner AND UNANIMOUSLY CARRIED THAT THE BOARD MAKES A MOTION TO CARRY THE RECOMMENDATION OF THE BOARD DURING EXECUTIVE SESSION FORWARD TO WHATEVER BOARDS NEED TO BE PRESENTED AND ULTIMATELY TO CITY COUNCIL.

9. **Information and Discussion:** Policy for placing of items on the Open Space Advisory Board Agenda. Contact: Katrina Martich, Chairwoman, kmartich@stellee.com

Chairwoman Martich explained she and Vice-Chairman Nester met with Mr. Nichols to discuss placing items on the OSAB agenda.

Mr. Nichols stated staff wants to provide the Board with the information requested; however, there have been occasions when numerous items have been placed on the agenda. Staff cannot properly prepare the information requested. Staff, Chairwoman Martich, and Vice-Chairman Nester have met and comprised a prioritization of Board Member agenda item requests.

1. Must haves;
2. Would like to have; and
3. Expendables

The desire is to present a manageable agenda which will allow staff sufficient time to provide the information requested, per the agenda items.

Proposed process:

1. Submit agenda items requests by Board Members to Staff;
2. Staff email requests to Chairwoman and Vice-Chairman;
3. Staff would prepare draft agenda for Chairwoman and Vice-Chairman to review;
4. If agreed, the agenda would be posted

Chairwoman Martich and Board Members Teschner, Tolbert, Teran, commented.

Ms. Nieman responded to comments and questions from Board Members.

MOTION:

Motion made by Mr. Tolbert, and seconded by Ms. Teran TO ADJOURN. No vote was taken.

10. Adjournment

MOTION:

Motion made by Mr. Tolbert, and seconded by Ms. Teran AND UNANIMOUSLY CARRIED TO ADJOURN AT 5:37 P.M.